

# Exhibit D



# Bridges and Tunnels

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## Central Business District Tolling Program Toll Rate Schedule (Action item)

## Staff Summary



<b>Subject</b>	Central Business District Tolling Program (CBDTP) Toll Rate Schedule (CBD Charge Schedule)
<b>Department</b>	Law
<b>Department Head Name</b>	Paul L. Friman
<b>Department Head Signature</b>	
<b>Project Manager Name</b>	Allison L. C. de Cerreño

<b>Date</b>	March 27, 2024
<b>Vendor Name</b>	N/A
<b>Contract Number</b>	N/A
<b>Contract Manager Name</b>	N/A
<b>Table of Contents Ref. #</b>	N/A

<b>Board Action</b>					
<b>Order</b>	<b>To</b>	<b>Date</b>	<b>Approval</b>	<b>Info</b>	<b>Other</b>
1	Board	3/27/24			

<b>Internal Approvals</b>			
<b>Order</b>	<b>Approval</b>	<b>Order</b>	<b>Approval</b>
4	President		VP Procurement
	General Counsel		VP Operations
3	Chief Operating Officer		VP Labor Relations
	VP Operations Support		VP & Chief Engineer

<b>Internal Approval (cont.)</b>							
<b>Order</b>	<b>Approval</b>	<b>Order</b>	<b>Approval</b>	<b>Order</b>	<b>Approval</b>	<b>Order</b>	<b>Approval</b>
1	Senior Director, Policy & Operations Analysis		Chief Security Officer		Chief Maintenance Officer	2	VP ITS & Tolling
	Chief Information Officer		Chief Health & Safety Officer		Affirmative Action		Other

**PURPOSE:** To obtain the Board's approval of the annexed Resolution which will (i) adopt a schedule of toll rates for use of the central business district (CBD Charge Schedule) under the central business district tolling program (CBDTP) operated by the Triborough Bridge and Tunnel Authority d/b/a MTA Bridges and Tunnels (TBTA); (ii) authorize the President of TBTA or her designee to take all such steps that may be necessary and desirable to establish, implement and permanently adopt, pursuant to law, the CBD Charge Schedule; and (iii) authorize the Chairman and his designees to take such steps as may be necessary or desirable in order to complete the administrative process necessary in advance of the Board's consideration of any necessary CBD Charge Schedule changes in 2024 as may be warranted.

**DISCUSSION:** Consistent with its goals of reducing traffic congestion within Manhattan's Central Business District (CBD) and generating revenue to fund MTA's transit and commuter rail system capital projects, the MTA Reform and Traffic Mobility Act requires among other things that TBTA:

- establish and operate a CBDTP;
- establish and charge variable tolls for vehicles entering or remaining in the CBD; and
- make rules and regulations for the establishment and collection of CBD tolls.

To accomplish this, on December 6, 2023 the Board authorized TBTA to take the requisite preliminary steps to implement a CBD Charge Schedule.

The legal name of MTA Bridges and Tunnels is Triborough Bridge and Tunnel Authority.

Four public hearings were conducted in which members of the public were invited to comment on a proposed CBD Charge Schedule. Information was also posted on the MTA website offering the public the opportunity to submit written comments online and by email, mail and fax, and to submit audio comments by phone by leaving a voicemail message. Notice of the proposed CBD Charge Schedule was separately published in the *State Register* on December 27, 2023, soliciting public comments. Transcripts of the hearing testimony and copies of written and recorded statements have been previously distributed to Board members for their consideration.

The attached proposed CBD Charge Schedule (Attachment 1) in summary includes the following CBD toll rates:

- Passenger vehicles and passenger-type vehicles with commercial license plates would be charged a \$15 peak period (\$3.75 overnight period) E-ZPass toll for entering the CBD, no more than once per day.
- Trucks would be charged a \$24 or \$36 peak period (\$6 or \$9 overnight period) E-ZPass toll for entering the CBD, depending on their size.
- School buses contracted with the NYC Department of Education, commuter vans licensed with the NYC Taxi and Limousine Commission, and buses providing scheduled commuter services open to the public would be exempted from the CBD toll. Other buses would be charged a \$24 or \$36 peak period (\$6 or \$9 overnight period) E-ZPass toll for entering the CBD, depending on their type.
- Motorcycles would be charged a \$7.50 peak period (\$1.75 overnight period) E-ZPass toll for entering the CBD, no more than once per day.
- Peak period toll rates would apply during the most congested times of the day – from 5am to 9pm on weekdays, and from 9am to 9pm on weekends. Toll rates would be 75% lower in the overnight period.
- A tunnel crossing credit against the peak period CBD toll rate would be provided to vehicles with E-ZPass entering through the four tolled entries that lead directly into the CBD: the Queens-Midtown, Hugh L. Carey, Holland, and Lincoln Tunnels. The E-ZPass credit would be: for passenger vehicles \$5 (if entering the CBD via the Lincoln or Holland Tunnel) or \$2.50 (if entering or exiting the CBD via the Queens-Midtown or Hugh L. Carey Tunnel); for motorcycles \$2.50 (if entering the CBD via the Lincoln or Holland Tunnel) or \$1.25 (if entering or exiting the CBD via the Queens-Midtown or Hugh L. Carey Tunnel); for buses and small trucks \$12 (if entering the CBD via the Lincoln or Holland Tunnel) or \$6 (if entering or exiting the CBD via the Queens-Midtown or Hugh L. Carey Tunnel); and for large trucks and licensed sightseeing buses \$20 (if entering the CBD via the Lincoln or Holland Tunnel) or \$10 (if entering or exiting the CBD via the Queens-Midtown or Hugh L. Carey Tunnel). No tunnel crossing credits would be in effect in the overnight period, when CBD toll rates are already 75% lower than in the peak period.
- NYC Taxi and Limousine Commission (TLC) taxis, green cabs, and for-hire vehicles (FHV)s would be exempted from the daily system toll on vehicles. Instead, a per-trip CBD toll would be added to each paid passenger trip fare for trips made to, from, within, or through the CBD at

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the toll rate of \$1.25 per-trip for taxis, green cabs and FHV's, and \$2.50 per-trip for FHV's on trips dispatched by a high-volume for-hire service (HVFHS).

- Specialized government vehicles, including vehicles identified and agreed to by TBTA and the City of New York, would be exempted from the CBD toll.
- Qualifying authorized emergency vehicles and qualifying vehicles transporting persons with disabilities would be exempt from the CBD toll, as required by law.
- Low-income vehicle owners who qualify and register with TBTA for the Low-Income Discount Plan would receive a peak period E-ZPass toll rate that is 50% less than the passenger vehicle peak period E-ZPass toll rate, on their eligible vehicle's 11th trip and trips thereafter in a calendar month.
- Generally, CBD toll rates for vehicles using fare media other than E-ZPass, commonly referred to as Tolls by Mail, would be 50% more than their respective E-ZPass rates.

If approved, the charges contained in the CBD Charge Schedule are planned for implementation in or about June 2024.

Also, the Board is asked to delegate to the President of TBTA or her designee authority to take all necessary and desirable steps to implement and permanently adopt a new Part 1021.4 of Title 21 of the New York Codes, Rules and Regulations to reflect the CBD Charge Schedule.

Finally, the Board is asked to authorize the Chairman and his designees to take the necessary steps, including publishing any required notices and conducting any required public hearings, in order to complete the administrative process necessary in advance of the Board's consideration of any necessary CBD Charge Schedule changes in 2024 as may be warranted.

**IMPACT ON FUNDING:** Adoption of the CBD Charge Schedule will progress the accomplishment of TBTA's statutory mandate that the CBDTP, among other things, generate enough net annual revenue to fund \$15 billion for MTA's transit and commuter rail system capital projects, as required by law.

**RECOMMENDATION:** It is recommended that the Board adopt and approve the attached Resolution establishing the CBD Charge Schedule, authorizing the President or her designee to take all steps to establish, implement and permanently adopt the Schedule, and authorizing the Chairman and his designees to take all steps to complete the administrative process necessary to change the Schedule in 2024 as may be warranted, pursuant to law.

The legal name of MTA Bridges and Tunnels is Triborough Bridge and Tunnel Authority.

**RESOLUTION**

**WHEREAS**, on December 6, 2023, the Board authorized the President of the Triborough Bridge and Tunnel Authority (the Authority) and her designees to take requisite preliminary steps to implement a schedule of toll rates for use of the central business district (CBD) consistent with the MTA Reform and Traffic Mobility Act requirements that the Authority, among other things, establish and operate a central business district tolling program (CBDTP); establish and charge variable tolls for vehicles entering or remaining in the CBD; and make rules and regulations for the establishment and collection of CBD tolls; and

**WHEREAS**, notices of a proposed schedule of toll rates for use of the CBD (CBD Charge Schedule) were published on January 29, 2024 in the *Connecticut Post*, *New Haven Register*, *Stamford Advocate*, *Bergen Record*, *Courier News*, *Daily Record*, *Jersey Journal*, *Newark Star-Ledger*, *Times of Trenton*, *AMMetroNY*, *Daily News*, *Journal News/Lohud*, *Newsday*, *Staten Island Advance*, *Middletown Times Herald Record*, *Poughkeepsie Journal*, *Korea Daily*, *El Diario*, and *WorldJournal/Chinese Daily News*; on January 30, 2024 in the *New Jersey Herald*; on January 31, 2024 in *Luso Americano*, *Haiti Liberte*, and *NY Carib News*; on February 1, 2024 in *La Voz Hispana CT*, *Amsterdam News*, *Harlem Community News*, *Our Time Press*, *Street Hype Newspaper*, and *Westchester County Press*; on February 2, 2024 in the *Warren Reporter*, *Der Yid weekly*, *El Sol*, *Haitian Times*, *Russkaya Reklama*, *El Especialito*, *El Hispano*, *Korean Bergen News*, and *Christian Times*; on February 3, 2024 in the *Weekley Bengalee*; and on February 15, 2024 in the *Americano Newspaper* and *The Positive Community*; and

**WHEREAS**, public hearings in which members of the public were invited to comment on the proposed schedule of toll rates for use of the CBD were conducted on February 29, 2024; on March 1, 2024; and two on March 4, 2024; and

**WHEREAS**, information was also posted on the MTA website offering the public the opportunity to submit written comments online and by email, mail and fax, and to submit audio comments by phone by leaving a voicemail message; and

**WHEREAS**, notice of the proposed schedule of toll rates for use of the CBD was published in the *New York State Register* on December 27, 2023, and the public was invited to submit comments to the Authority; and

**WHEREAS**, transcripts of the public hearing proceedings and copies of the written and recorded comments which were received from members of the public have been previously distributed to members of the Board; and

**WHEREAS**, the Board has considered the testimony of the public at the public hearings and written and recorded comments submitted to the Authority; and

**WHEREAS**, the Board has considered all of the above.

**NOW, THEREFORE**, upon motion duly made and seconded, the following resolution is adopted by the Board:

**RESOLVED**, that the CBD Charge Schedule in the new Part 1021.4 of Title 21 New York Codes, Rules and Regulations, providing the toll rate structure for the central business district tolling program of the Authority, as set forth in the attachment to this resolution, shall be and hereby is adopted to be implemented in or about June 2024; and be it further,

**RESOLVED**, that the President of the Authority or her designee is hereby fully authorized and directed to take such steps as may be necessary or desirable to establish, implement and adopt the proposed CBD Charge Schedule, annexed hereto, in the new Part 1021.4 of Title 21 of the New York Codes, Rules and Regulations, pursuant to law; and be it further,

**RESOLVED**, that the Chairman and his designees are hereby fully authorized and directed to take such steps as may be necessary or desirable, including publishing any required notices and conducting any required public hearings, in order to complete the administrative process necessary in advance of the Board's consideration of any necessary CBD Charge Schedule changes in 2024 as may be warranted, pursuant to law.

March 27, 2024  
New York, New York

## **ATTACHMENT 1**

### **Part 1021.4 CBD Charges**

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY CENTRAL BUSINESS DISTRICT (CBD) CHARGES			
a	E-ZPass Customers VEHICLE CLASSIFICATION	CBD ENTRY CHARGE	TUNNEL CROSSING CREDIT
1	Passenger and other vehicles, including sedans, sport utility vehicles, station wagons, hearses, limousines, pickup trucks with factory beds, pickup trucks with caps below the roofline and not extending over the sides, and vans without an extended roof above the windshield Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period for registered Low-Income Discount Plan participants using an eligible vehicle, 11th trip and trips thereafter in a calendar month (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit (maximum daily credit \$5.00) If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$15.00  \$7.50  \$3.75	\$5.00  \$2.50
2	Single-unit trucks, including non-articulated trucks, pickup trucks with modified beds, vans with modified body behind the drivers cab, pickup trucks with caps above the roofline or extending over the sides, and vans with an extended roof above the windshield Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$24.00  \$6.00	\$12.00  \$6.00
3	Multi-unit trucks, including articulated trucks where a power unit is carrying one or more trailers Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$36.00  \$9.00	\$20.00  \$10.00
4	Buses, including vehicles registered with the DMV and plated as a bus, omnibus, or have other designated official plates Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends) Licensed sightseeing buses Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$24.00  \$6.00  \$36.00  \$9.00	\$12.00  \$6.00  \$20.00  \$10.00
5	Motorcycles Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit (maximum daily credit \$2.50) If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$7.50  \$1.75	\$2.50  \$1.25
<i>E-ZPass CBD entry charges are available subject to terms, conditions, and agreements established by the Authority.</i>			
<i>The Authority reserves the right to determine whether any vehicle is of unusual or unconventional design, weight, or construction and therefore not within any of the listed categories. The Authority also reserves the right to determine the CBD charge for any such vehicle of unusual or unconventional design, weight, or construction. Any single unit vehicle identified as belonging to Classes 1, 2, or 5 will be up-classed to the next toll class when towing a trailer or another vehicle.</i>			
<i>Daily toll cap of once per day for Class 1 and Class 5 vehicles. Caps for other vehicles are subject to change pursuant to the adaptive management approach to mitigating project effects, as committed to in the Final Environmental Assessment.</i>			
<i>CBD entry charges and tunnel credits are subject to a variable percentage increase/decrease of up to 10% for up to one year after implementation pursuant to the adaptive management approach to mitigating project effects, as committed to in the Final Environmental Assessment.</i>			
<i>The Low-Income Discount Plan shall continue for five years as committed to in the Final Environmental Assessment.</i>			
<i>The Authority reserves the right to charge a 25% higher CBD charge during Gridlock Alert Days. Each year, the NYCDOT identifies Gridlock Alert Days during the UN General Assembly and throughout the holiday season when heavy traffic is expected in Manhattan. On Gridlock Alert Days, consider walking, biking, or taking mass transit for any trips in Manhattan.</i>			
<i>Qualifying authorized emergency vehicles and qualifying vehicles transporting persons with disabilities are exempt pursuant to Vehicle and Traffic Law § 1704-a (2).</i>			
<i>Qualifying authorized commuter buses and specialized government vehicles, as determined by the Authority, are exempt.</i>			

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY CENTRAL BUSINESS DISTRICT (CBD) CHARGES			
b	Customers Using Fare Media Other Than E-ZPass VEHICLE CLASSIFICATION	CBD ENTRY CHARGE	PER TRIP CHARGE PLAN* (TO/FROM/WITHIN/ THROUGH CBD)
1	Passenger and other vehicles, including sedans, sport utility vehicles, station wagons, hearses, limousines, pickup trucks with factory beds, pickup trucks with caps below the roofline and not extending over the sides, and vans without an extended roof above the windshield  Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$22.50 \$5.50	
2	Single-unit trucks, including non-articulated trucks, pickup trucks with modified beds, vans with modified body behind the drivers cab, pickup trucks with caps above the roofline or extending over the sides, and vans with an extended roof above the windshield  Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$36.00 \$9.00	
3	Multi-unit trucks, including articulated trucks where a power unit is carrying one or more trailers  Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$54.00 \$13.50	
4	Buses, including vehicles registered with the DMV and plated as a bus, omnibus, or have other designated official plates  Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$36.00 \$9.00	
	Licensed sightseeing buses  Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$54.00 \$13.50	
5	Motorcycles  Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$11.25 \$2.75	
	NYC TLC taxis, green cabs, for-hire vehicles (FHV)s  Taxis, green cabs, and FHV's on trips  FHV's on trips dispatched by high-volume for-hire services (HVFSs)		\$1.25 \$2.50
<i>The Authority reserves the right to determine whether any vehicle is of unusual or unconventional design, weight, or construction and therefore not within any of the listed categories. The Authority also reserves the right to determine the CBD charge for any such vehicle of unusual or unconventional design, weight, or construction. Any single unit vehicle identified as belonging to Classes 1, 2, or 5 will be up-classed to the next toll class when towing a trailer or another vehicle.</i>			
<i>Daily toll cap of once per day for Class 1 and Class 5 vehicles. Caps for non-passenger vehicles are subject to change pursuant to the adaptive management approach to mitigating project effects, as committed to in the Final Environmental Assessment.</i>			
<i>NYC TLC taxi, green cab, and FHV tolls are to be paid by the passenger pursuant to Rules of City of NY Taxi &amp; Limousine Commn (35 RCNY) §§ 58-26 (f), 59A-23 (b), 59D-17 (c).</i>			
<i>CBD entry charges and per trip charges are subject to a variable percentage increase/decrease of up to 10% for up to one year after implementation pursuant to the adaptive management approach to mitigating project effects, as committed to in the Final Environmental Assessment.</i>			
<i>The Authority reserves the right to charge a 25% higher CBD charge during Gridlock Alert Days. Each year, the NYCDOT identifies Gridlock Alert Days during the UN General Assembly and throughout the holiday season when heavy traffic is expected in Manhattan. On Gridlock Alert Days, consider walking, biking, or taking mass transit for any trips in Manhattan.</i>			
<i>Qualifying authorized emergency vehicles and qualifying vehicles transporting persons with disabilities are exempt pursuant to Vehicle and Traffic Law § 1704-a (2).</i>			
<i>Qualifying authorized commuter buses and specialized government vehicles, as determined by the Authority, are exempt.</i>			
<i>*Subject to full execution of and compliance with plan agreement by FHV bases and taxi technology system providers.</i>			